

REMARKS/ARGUMENTS

Reconsideration and allowance of the subject application are respectfully requested.

The Examiner requests an update of the various serial numbers noted in the specification. The Examiner also requests that non-alpha numeric symbols be removed. These updates and changes have been made. Withdrawal of the objection to the specification is requested.

Claims 24-48 stand rejected under 35 U.S.C. §112 first paragraph alleging that the description is not enabling for an information processing apparatus. Applicant respectfully traverses this rejection.

Various example embodiments in the description relate to video games and video game playing machines. But the specification does not limit the invention to such machines. For example, page 1 of the specification states that “the invention generally relates to a security system for a computer system having Internet access capability.” And although claims have been specifically directed to an example video game embodiment, as in claims 1-24 and in previous claims of earlier related applications, the arguments advanced with respect to other video game system claims do not preclude applicant from claiming another, different combination of features supported by the specification.

The video game system described in the specification is certainly an example of an information processing apparatus for executing an applications program, where one

application program may be, for example, a video game program. Nothing in the specification requires that the application program only be a video game program or that the information processing system only be a video game system. The security aspects relating to the communications between the information processing system, the server, and the mass storage device controller have applicability to information processing apparatus in addition to video game processing apparatus.

The question of whether the specification supports claims 25-48 is not determined by patentability arguments for other different claims. Rather the question is whether there is sufficient support in the 100 page specification and multiple figures to enable a person of ordinary skill in the art to make and use an information processing apparatus as recited in claim 25 and its dependent claims. The Examiner fails to make a *prima facie* case that the detailed embodiments relating to video game playing system are not information processing apparatus and that a video game's program is not an applications program. Accordingly, applicant respectfully requests that the rejection under 35 U.S.C. §112, first paragraph be withdrawn.

Claims 30, 31 and 33 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. The dependency in claim 30 is corrected so that it now depends upon claim 28, providing an antecedent basis for "said digital processor." A similar amendment was made in claim 6 so that it now depends on claim 4, providing an antecedent basis for "said digital processor." Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

Claims 25, 27 and 36-48 stand rejected under 35 U.S.C. §102 (b) as being anticipated by U.S. Patent No. 5,796,824 to Hasebe. This rejection is respectfully traversed.

Hasebe discloses a storage medium for preventing unauthorized copying of software stored on the medium. In particular, Hasebe stores a medium number 12 in an “un-rewritable” form on the storage medium itself so that a user computer cannot change that medium number. In order for Hasebe to be anticipatory, it must disclose each and every feature of each rejected claim. Hasebe does not satisfy this rigorous test.

Hasebe fails to disclose the claimed “communications circuitry, coupled in use to said information processing system and to a user’s communications network, for linking said information processing system to a server.” There is no teaching of: 1) communications circuitry, 2) a user is communications network, and 3) a server. Nor is there any teaching of a mass storage device controller in which cryptographic operations are performed “on information communicated between said information processing system and said server.” As explained in Hasebe, “the user buys the software storage medium 11 and mounts it in the user computer.” Column 8, lines 23-24. Cryptographic operations are performed on the information that is provided on the software storage medium which is physically loaded by the user onto the user computer. There is no communication between the user computer and a server via a user’s communications network. Indeed, there is no communications network or network communications circuitry disclosed in Hasebe. The medium number 12 and permission information 13 are

set in the software storage medium 15 by the vendor before that software storage medium is purchased by the user and then physically mounted by the user after purchase in the user's computer.

Regarding claim 36, it is unclear where the Examiner believes that Hasebe generates "random data in response to its detection of a security fault."

With respect to claim 41, it is unclear where Hasebe discloses an executing applications program only being "permitted to access predetermined partitions of said mass storage device under control of said mass storage device controller."

With respect to claim 43, it is unclear where the Examiner believes Hasebe discloses a mass storage device controller "operable to play said mass storage device in a write-only state."

Regarding claim 46, the Examiner fails to point out where Hasebe discloses that the claimed mass storage device controller includes "a random access memory and wherein said mass storage device controller executes a security program, the location of which is distributed between said mass storage device and said random access memory."

There is no teaching of the features recited in claim 47 in which the server is a master server "for receiving at least one encryption key from a mass storage device controller and of an electronic commerce server associated with the user's Internet service provider."

Nor is there a teaching of continuous message transmission between the claimed server and mass storage device controller as recited in claim 48, in which a counter field in such messages is incremented each time a message is sent.

Lacking multiple features of independent claim 25 and many features of claims that depend from claim 25, the anticipation rejection based on Hasebe is improper and should be withdrawn.

Claims 1-3, 6, 7, 9 and 12-24 stand rejected under 35 U.S.C. 103 as being unpatentable over Hasebe. This rejection is respectfully traversed.

Although the Examiner acknowledges that Hasebe is not directed to video games, the Examiner makes the argument that “video games are considered by the [sic] those skilled in the art as a subset of electronically published data or software or application programs.” The problem with the Examiner’s §103 rejection is not the characterization of the application program, but rather the fact that the Examiner fails to show where each feature is disclosed or suggested in Hasebe.

Hasebe fails to disclose “communications circuitry, coupled in use to said game processing system and to a user’s communications network, for linking said game processing system to a server.” In use Hasebe software storage medium 11 is manually loaded onto the user computer by the user. There is no communications circuitry; nor is any needed to link the user computer to a server over a communications network. As explained above, there is also no disclosure or suggestion in Hasebe of a mass storage device controller “performing cryptographic operations on information communicated

between said video game system and said server.” There is no motivation to add these missing features in Hasebe because Hasebe’s user buys the software storage medium and manually mounts it in the user computer. See column 8, lines 23-23 and column 10, lines 47-50.

Regarding claim 2, there is no teaching of any mass storage device controller in Hasebe’s user computer generating “a game request packet and transmit[ing] the game request packet in encrypted form to said server,” as recited in claim 2. Dependent claims 12, 18, 19-21, 22, 23 and 24 are also not disclosed for reasons already explained above for claims 36, 42, 43-45, 46, 47 and 48, respectively.

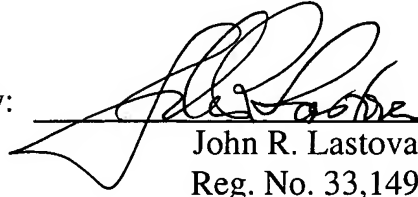
Applicant appreciates the Examiner’s indication of allowable subject matter in claims 4, 5, 8, 10, 11, 28, 29, 34, 35. Now that the dependencies of claims 6 and 30 have been corrected, claims 6, 7, 9, 30, 31, and 32 should be allowed. Moreover, applicant respectfully submits for the reasons set forth above, that all claims are in condition for allowance. An early notice to that effect is earnestly solicited.

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Respectfully submitted,

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